



SACHI A. HAMAI
EXECUTIVE OFFICER

COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 383
LOS ANGELES, CALIFORNIA 90012
(213) 974-1411 • FAX (213) 620-0636

MEMBERS OF THE BOARD

GLORIA MOLINA

MARK RIDLEY-THOMAS

ZEV YAROSLAVSKY

DON KNABE

MICHAEL D. ANTONOVICH

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

April 7, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

15

APRIL 7, 2009

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

ELECTION OF THE THIRD MEMBERS OF THE BOARD OF INVESTMENTS AND THE BOARD OF RETIREMENT (ALL DISTRICTS) (3-VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the attached resolutions establishing the procedures to elect the Third Member of the Board of Investments and the Third Member of the Board of Retirement for the Los Angeles County Employees Retirement Association (LACERA), with three-year terms beginning on January 1, 2010, and expiring on December 31, 2012; and instruct the Executive Officer of the Board of Supervisors to send notice of the elections and copies of the election resolutions to all County Departments and agencies that employ General Members of LACERA.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

The County Employees Retirement Law of 1937 provides for the membership of the Board of Investments and the Board of Retirement of LACERA. Pursuant to this law, each year the Board of Supervisors adopts by resolution the election procedures for members of the Board of Investments and the Board of Retirement for member seats in which the term of office expires on December 31st of that year.

This year, the terms of office for the Third Members of the Board of Investments and the Board of Retirement will expire on December 31st.

Implementation of Strategic Plan Goals

Approval of the attached resolutions broadly supports the County Strategic Goals of Workforce Excellence and Fiscal Responsibility.

FISCAL IMPACT/FINANCING:

The cost of these elections is estimated at \$228,740.00 based upon prior elections conducted by the Registrar-Recorder/County Clerk. The total eligible voting population in these elections is approximately 83,000 persons.

The cost of conducting the LACERA elections is included in the Registrar-Recorder/County Clerk's budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

Government Code Sections 31520.1 and 31520.2 grant the Board of Supervisors the authority to conduct the elections for the elected Third Members of the Board of Retirement and the Board of Investments. Your Board has given the Executive Officer the responsibility for coordinating these elections with the Registrar-Recorder/County Clerk, LACERA and with County departments through departmental election coordinators.

The elections for the Third Members of the Board of Investments and Board of Retirement are regular elections to fill terms of office that expire in December of this year. The General Members of LACERA are eligible to vote in these elections.

IMPACT ON CURRENT SERVICES:

Besides the evident need to fill these offices on the Board of Investments and the Board of Retirement, these elections provide an opportunity for General Members to participate in selecting board members whose official decisions have a great impact on their own retirement system. Thus, County departments will be strongly encouraged to adhere to these election procedures and ensure that any communication from the Executive Officer concerning this election is posted and/or distributed in a timely manner. As always, departments will be called upon to respond immediately to situations that may surface. It is important to emphasize the integrity of these elections often rests with a department's cooperation and active participation in the election process.

Respectfully Submitted,


Sachi A. Hamai
Executive Officer

SH:dg:ms

Attachments (4)

c: Chief Executive Officer
Acting County Counsel
Chief Executive Officer, LACERA
Registrar-Recorder/County Clerk
Auditor-Controller
Acting Chief Information Officer
Director, Department of Internal Services

**RESOLUTION ESTABLISHING THE ELECTION FOR
THE THIRD MEMBER
OF THE
BOARD OF INVESTMENTS**

WHEREAS, under the provisions of the County Employment Retirement Law of 1937, the Board of Investments shall consist of nine members; and

WHEREAS, the term of the Third Member of the Board of Investments will expire on December 31, 2009; and

WHEREAS, pursuant to the provisions of the County Employees Retirement Law of 1937, section 31520.2 of the Government Code, a successor shall be elected to fill the office for the term beginning January 1, 2010, at an election conducted in a manner to be determined by the Board of Supervisors:

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that the nomination of candidates and the election of the Third Member of the Board of Investments of the Los Angeles County Employees Retirement Association elected by the General Members of said Retirement Association to fill the term expiring December 31, 2012, shall be in accordance with the rules and procedures herein prescribed:

1. The Executive Officer of the Board of Supervisors shall supervise the election for the Third Member of the Board of Investments of the Los Angeles County Employees Retirement Association.
2. The Executive Officer of the Board of Supervisors shall, on or before Monday, April 13, 2009, notify department heads and agency heads who employ General Members, of the

election and shall provide department heads and agency heads with an election notice for use in notifying their respective employees.

3. Department heads and outside agencies with General Member employees in their departments or agencies shall notify their employees of the election by posting sufficient copies of the election notice on or before Friday, May 1, 2009.
4. The Executive Officer of the Board of Supervisors, through a coordinated effort with the Chief Information Office, Internal Services and Auditor-Controller Departments, shall, on May 1, 2009 send an email to all General Members advising them of the upcoming LACERA election.
5. Each department head with General Members in his or her department shall appoint at least one employee who will act as the departmental election coordinator, and at least one employee who will act as the alternate departmental election coordinator. Election coordinators and alternate coordinators shall be responsible for communicating election information to the employees of the department, and shall attend all training sessions, as specified by the Executive Officer of the Board of Supervisors, regarding the administration of the election. Departments with work locations which have more than 100 employees who are eligible to vote are urged to select an on-site election coordinator for each of these locations. It is the responsibility of the department head to notify the Executive Office of the Board of Supervisors at (213) 974-1093 or email to LACERA_ELECTION@bos.co.la.ca.us the names, telephone numbers, work place mailing addresses and/or email addresses for employees appointed on or before Monday, April 27, 2009.
6. Candidates must be General Members and shall be nominated by petition signed by at least (50) active General Members of the Los Angeles County Employees Retirement Association as of March 1, 2009, and no member may sign more than one nominating

petition. Nominating petitions shall be obtained from the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, on or after Tuesday, May 5, 2009. The request for nomination papers supplied by the Registrar-Recorder/County Clerk shall be completed by each requesting party. Nominating petitions must be filed with the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, no later than 5:00 p.m. on Thursday, June 4, 2009.

7. Each department head shall allow nominees to solicit nominating signatures and candidates to engage in campaign-related activities during working hours on County property, provided such signature solicitation and campaign activities are conducted during the employees' lunch, break time, or other off-duty time and does not interfere with County operations or the conduct of County business.
8. The Registrar-Recorder/County Clerk shall examine the signatures on the nominating petition and notify each nominee of his or her status, no later than 5:00 p.m. on Monday, June 8, 2009. If the Registrar-Recorder/County Clerk determines that only one member has been duly nominated, pursuant to the provisions of the County Employees Retirement Law of 1937, Section 31523 of the Government Code, the Registrar-Recorder/County Clerk shall notify the Board of Supervisors and the Board of Supervisors shall order that no election be held and the Executive Officer of the Board of Supervisors shall be directed to cast a unanimous ballot in favor of such nominated member. If more than one member has been duly nominated, the Registrar-Recorder/County Clerk shall certify to the Executive Officer of the Board of Supervisors by Monday, June 8, 2009, the names of candidates to be placed on the official ballot.
9. Nominees in this election may file with the Registrar-Recorder/County Clerk a statement of qualifications of not more than 200 words. Words shall be counted as provided in Elections Code Section 9. Any statement of qualifications filed with the Registrar-Recorder/County Clerk shall be limited to a recitation of the nominee's own personal

background and qualifications, and shall not in any way make reference to other nominees or to another nominee's qualifications. A nominee may file his or her statement of qualifications beginning Tuesday, May 5, 2009. No statement of qualifications may be withdrawn and/or re-filed after 5:00 p.m., Thursday, June 4, 2009. The statement shall become a part of the official ballot, except as provided in paragraph 10, below.

10. Upon close of the statement of qualifications filing period, the Registrar-Recorder/County Clerk shall examine each statement of qualifications. Any statement of qualifications which the Registrar-Recorder/County Clerk determines is not limited to a recitation of the nominee's own personal background and qualifications or which includes any reference to other nominees or to another nominee's qualifications shall not be printed or circulated by the Registrar-Recorder/County Clerk. The Registrar-Recorder/County Clerk shall notify the nominee by telephone at his or her telephone number provided and/or via U.S. Mail to the nominee's mailing address if the nominee's statement of qualifications is rejected pursuant to this provision. The decision of the Registrar-Recorder/County Clerk to accept or reject a nominee's statement of qualifications is final. Any statement of qualifications filed with the Registrar-Recorder/County Clerk shall, upon close of the statement of qualifications filing period, be made available for public inspection and copying. Any judicial proceeding challenging the decision of the Registrar-Recorder/County Clerk to reject or accept a nominee's statement of qualifications shall be governed, to the extent determined applicable by the courts, under the procedures set forth in Elections Code Section 13314.
11. A statement of qualifications shall be open to public inspection for a period of five business days excluding weekends (Saturday and Sunday) and holidays. Candidate's statements of qualifications will be available for inspection at the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, beginning on Monday, June 8, 2009, and ending at 5:00 p.m. Friday, June 12, 2009.

On Monday, June 15, 2009, candidate's statements of qualifications approved by the Registrar-Recorder/County Clerk may be viewed at:

http://bos.co.la.ca.us/lacera_election.htm.

12. The form of ballot to be used at the election shall include materials prepared by the Registrar-Recorder/County Clerk and shall include: (1) a list of the certified candidates in random order with a voting space opposite each name and sufficient information to acquaint members with the nature of the election and the proper method of casting a ballot; (2) a statement of qualifications if properly filed by the candidate; (3) a return envelope postage prepaid; (4) a statement of powers and duties of Board of Investments Members (See Attachment A); and (5) a ballot insert with the following identifying information:

EMPLOYEE NUMBER, DEPARTMENT NUMBER, PAY LOCATION
AS OF MARCH 1, 2009, EMPLOYEE NAME, MAILING ADDRESS

13. The Registrar-Recorder/County Clerk shall certify a list of qualified candidates to the Executive Office of the Board of Supervisors on Monday, June 8, 2009. A public drawing will be held to determine the ballot order at 2:00 p.m. on Tuesday, June 9, 2009, in the Executive Office of the Board of Supervisors, 383 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles.
14. The Auditor-Controller shall provide to the Executive Officer of the Board of Supervisors a master file of General Members on or before Wednesday, April 15, 2009, from which the following will be generated: (1) a ballot insert, as described in paragraph 11 of this resolution, for each General Member of the Retirement Association as of March 1, 2009, in alphabetical order, (2) employee number suborder, and (3) a duplicate listing of all such members in the described order.

15. The Registrar-Recorder/County Clerk shall mail the official ballot to the mailing address of eligible Members beginning on Monday, June 29, 2009 and by 5:00 p.m. Friday, July 2, 2009, all ballots must be mailed. The ballots shall be mailed via U.S. Mail using mailing addresses listed in the Auditor-Controller's master address file. The Registrar-Recorder/County Clerk will forward to the Executive Officer of the Board of Supervisors by Tuesday, July 7, 2009, verification that all ballots were mailed as described in this resolution.
16. Any County employee who is a candidate in this election is a candidate in his or her personal capacity, and may not use County time or County resources to further his or her campaign or election. Any candidate who violates this provision is subject to discipline, including discharge from County employment.
17. Each department head shall designate existing departmental bulletin board space for all candidates to display campaign material. Campaign material shall clearly state that employees are prohibited from using County time or County resources to further the campaign or election of the candidate.
18. Upon request of a candidate, on or after Monday, June 8, 2009, each department head shall provide the address of each department's work location where employees who are eligible to vote in this election are employed.
19. Except as otherwise prohibited by law, employees may wear campaign badges or buttons during working hours.
20. Members eligible to vote in this election shall be General Members of the Retirement Association on or before March 1, 2009. Eligible General Members who do not receive a ballot by Monday, July 13, 2009, and who desire to vote shall notify in writing their department election coordinator on or before Monday, July 20, 2009. The department

election coordinator shall submit to the Registrar-Recorder/County Clerk these written statements along with the employee's name, current mailing address, employee number and department in which employed as of March 1, 2009 on the Request for Duplicate Election Ballot Form provided by the Executive Office of the Board of Supervisors on or before Tuesday, July 21, 2009. The Registrar-Recorder/County Clerk must receive the request by Tuesday, July 21, 2009. Duplicate ballots shall be issued only to those Members who submit the required written statement and whose names appear on both the Request for Duplicate Election Ballot signed by the election coordinator and the duplicate listing of the Auditor-Controller's master address file.

21. The Registrar-Recorder/County Clerk shall mail the requested duplicate ballots via U.S. Mail by Wednesday, July 22, 2009, to the mailing address supplied by members on the Request for Duplicate Election Ballot Form.
22. Each ballot may be voted on only by the member to whom it is issued. No member may vote more than once in this election.
23. The Registrar-Recorder/County Clerk shall maintain internal controls to ensure that no more than one vote is cast per member to protect the integrity of the election.
24. To be eligible for counting, ballots shall be returned to the Registrar-Recorder/County Clerk in the envelope provided via U.S. Mail or personal delivery; shall be completed by each voter with his or her employee number, printed name and signature in the space provided on the reverse of said envelope; and shall be received by the Registrar-Recorder/County Clerk by 5:00 p.m., Tuesday, August 4, 2009. There are no provisions for write-in candidates; therefore, no write-in votes shall be counted.

25. The Registrar-Recorder/County Clerk shall canvass the votes cast at the election and shall certify the results to the Executive Officer of the Board of Supervisors on or before Friday, August 7, 2009.
26. The Registrar-Recorder/County Clerk shall: (a) telephone each candidate receiving more than 20 percent of the total vote cast at his or her telephone number provided as to the results as certified on or before Friday, August 7, 2009; and (b) send written notice of the results via U.S. Mail to each candidate's mailing address on or before Friday, August 7, 2009.
27. In the event a candidate makes a request for a recount of the election results, the requestor shall bear the cost of such a recount. A written request for a recount must be filed with the Registrar-Recorder/County Clerk no later than 5:00 p.m., Friday, August 14, 2009. The candidate filing the request for a recount shall, before the recount is commenced and at the beginning of each day following, deposit with the Registrar-Recorder/County Clerk a sum as required by the Registrar-Recorder/County Clerk to cover the cost of the recount for that day. The Registrar-Recorder/County Clerk shall commence a recount no later than Friday, August 21, 2009. In the event the recount results in a determination that the candidate who requested the recount has received a plurality of the votes cast, all money deposited shall be returned to the candidate. The recount conducted by the Registrar-Recorder/County Clerk shall be open to the public.
28. In the event any candidate desires to protest the results of the election, he or she must file a written protest with the Executive Office of the Board of Supervisors no later than 5:00 p.m., Friday, August 14, 2009. The written protest must specify the grounds for the protest and be accompanied by supporting documentation.
29. The Board of Supervisors at its meeting on Tuesday, September 8, 2009, or on a date following the completion of any recount, shall declare the results official. The person

receiving the highest number of votes shall be declared elected. In the event two or more persons tie for first place, such persons shall determine, by drawing lots before the Board, which of them shall be elected.

30. In lieu of declaring the results official, the Board of Supervisors may order a new election if the Board determines, on the basis of written protest or on its own motion, that any error, omission or neglect occurred attributable to the County in the administration of the election sufficient to change the result. The rejection of a candidate's statement of qualifications by the Registrar-Recorder/County Clerk, or the failure of the Registrar-Recorder/County Clerk to reject a candidate's statement of qualifications, shall not constitute grounds for a new election. Allegations of candidate misconduct shall not constitute grounds for a new election, but, if later substantiated may lead to imposition of administrative discipline or criminal culpability.
31. Election material retained by the Executive Officer of the Board of Supervisors and nominating petitions and ballots retained by the Registrar-Recorder/County Clerk may be discarded or otherwise disposed of sixty (60) days after the date of the final declaration of the election results by the Board of Supervisors.
32. The Executive Officer of the Board of Supervisors may, in the exercise of her discretion, implement additional procedures as she may deem necessary in order to preserve a fair and equitable election process. The Executive Officer of the Board of Supervisors shall, within ten (10) days, notify the Board of Supervisors, the Boards of Investments and Retirement and all candidates of any additional procedures implemented pursuant to this provision.

The foregoing resolution was on the 7th day of APRIL 2009, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors of the
County of Los Angeles

By:


Deputy

APPROVED AS TO FORM:

County Counsel

By


Judy W. Whitehurst

Principal Deputy County Counsel

POWERS AND DUTIES OF INVESTMENTS BOARD MEMBERS

The Board of Investments provides this summary to enable voters to evaluate candidates for the Board of Investments. The Board urges voters to review this summary prior to voting.

The Board of Investments has two (2) primary responsibilities: the investment of LACERA's Retirement Fund (\$38.7 billion as of June 30, 2008), and the determination of County and member contribution rates.

The Board of Investments has exclusive control of all retirement system investments and is responsible for establishing investment objectives, strategies, and policies. LACERA's investment portfolio is, with very minor exceptions, externally managed. The Board does not make individual investment selections for the externally managed portfolio; rather, it selects investment advisors and managers to make investments for LACERA in accordance with investment objectives and guidelines established by the Board. In addition, the Board of Investments and its staff continually monitor and evaluate the investment activities and results of its advisors and managers. Under the Board's Securities Litigation Policy, the Board of Investments, with the assistance of counsel and staff, is also charged with actively identifying, evaluating and monitoring those securities class action lawsuits in which the fund has sustained a loss, and to determine whether the best interests of the fund would be served by actively participating in such cases.

Investment Board members act as fiduciaries for LACERA and its members. Board members have a constitutional and statutory duty to "diversify the investments of the system so as to minimize the risk of loss and maximize the rate of return, unless under the circumstances it is clearly not prudent to do so." These duties require members of the Board of Investments to spend substantial time educating themselves and staying current on investment matters. This is accomplished through attendance at courses such as the "Portfolio Concepts and Management" or "Investment Management" courses sponsored by the Wharton School of Economics, and at conferences and seminars held throughout the year. A newly elected member of the Board should expect to devote considerable time and effort in gaining the education and expertise necessary to carry out his or her important responsibilities.

Using an actuarial valuation process, the Board of Investments determines the level of contributions necessary to fund retirement benefits. The Board of Investments is responsible for setting actuarial valuation policies, selecting the

actuary who will perform the valuation, and for approving the actuarial valuation services provided. At least every three years, the actuary submits to the Board of Investments for the Board's approval such changes in County and member contribution rates as are necessary to fund retirement benefits.

The Board of Investments shares some responsibilities with the Board of Retirement. The Boards of Retirement and Investments, acting jointly, adopt the annual budget covering LACERA's operations. Additionally, the two Boards act jointly in employee relations matters, including the approval of class specifications for LACERA employees, the approval of Memoranda of Understanding (MOUs) negotiated with SEIU Local 721, the union bargaining for represented employees of LACERA, and the approval of compensation to be provided to LACERA's nonrepresented employees.

The Board of Investments meets on the second Wednesday of each month, with meetings generally lasting from 4 to 6 hours. Special meetings may be held from time to time. In addition to the time required to attend meetings, Board members must review materials prior to the meeting. Such review and preparation may require several hours prior to the meeting. Under Government Code Section 31522, as to those elected Board members who are also employed by the County or a participating district, their LACERA duties are included as part of their County or district employment.

The Board of Investments cannot grant benefit increases and is not responsible for the administration of retirement benefits. The Legislature has assigned the administration responsibilities to the Board of Retirement.

APPROVED BY THE BOARD OF INVESTMENTS ON MARCH 11, 2009.

**RESOLUTION ESTABLISHING THE ELECTION FOR
THE THIRD MEMBER
OF THE
BOARD OF RETIREMENT**

WHEREAS, under the provisions of the County Employment Retirement Law of 1937, the Board of Retirement shall consist of nine members and two alternate members; and

WHEREAS, the term of the Third Member of the Board of Retirement will expire on December 31, 2009; and

WHEREAS, pursuant to the provisions of the County Employees Retirement Law of 1937, section 31520.1 and 31520.5 of the Government Code, a successor shall be elected to fill the office for the term beginning January 1, 2010, at an election conducted in a manner to be determined by the Board of Supervisors:

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that the nomination of candidates and the election of the Third Member of the Board of Retirement of the Los Angeles County Employees Retirement Association elected by the General Members of said Retirement Association to fill the term expiring December 31, 2012, shall be in accordance with the rules and procedures herein prescribed:

1. The Executive Officer of the Board of Supervisors shall supervise the election for the Third Member of the Board of Retirement of the Los Angeles County Employees Retirement Association.
2. The Executive Officer of the Board of Supervisors shall, on or before Monday, April 13, 2009, notify department heads and agency heads who employ General Members, of the

election and shall provide department heads and agency heads with an election notice for use in notifying their respective employees.

3. Department heads and outside agencies with General Member employees in their departments or agencies shall notify their employees of the election by posting sufficient copies of the election notice on or before Friday, May 1, 2009.
4. The Executive Officer of the Board of Supervisors, through a coordinated effort with the Chief Information Office, Internal Services and Auditor-Controller Departments, shall, on May 1, 2009 send an email to all General Members advising them of the upcoming LACERA election.
5. Each department head with General Members in his or her department shall appoint at least one employee who will act as the departmental election coordinator, and at least one employee who will act as the alternate departmental election coordinator. Election coordinators and alternate coordinators shall be responsible for communicating election information to the employees of the department, and shall attend all training sessions, as specified by the Executive Officer of the Board of Supervisors, regarding the administration of the election. Departments with work locations which have more than 100 employees who are eligible to vote are urged to select an on-site election coordinator for each of these locations. It is the responsibility of the department head to notify the Executive Office of the Board of Supervisors at (213) 974-1093 or email to LACERA_ELECTION@bos.co.la.ca.us the names, telephone numbers, work place mailing addresses and/or email addresses for employees appointed on or before Monday, April 27, 2009.
6. Candidates must be General Members and shall be nominated by petition signed by at least (50) active General Members of the Los Angeles County Employees Retirement Association as of March 1, 2009, and no member may sign more than one nominating

petition. Nominating petitions shall be obtained from the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, on or after Tuesday, May 5, 2009. The request for nomination papers supplied by the Registrar-Recorder/County Clerk shall be completed by each requesting party. Nominating petitions must be filed with the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, no later than 5:00 p.m. on Thursday, June 4, 2009.

7. Each department head shall allow nominees to solicit nominating signatures and candidates to engage in campaign-related activities during working hours on County property, provided such signature solicitation and campaign activities are conducted during the employees' lunch, break time, or other off-duty time and does not interfere with County operations or the conduct of County business.
8. The Registrar-Recorder/County Clerk shall examine the signatures on the nominating petition and notify each nominee of his or her status, no later than 5:00 p.m. on Monday, June 8, 2009. If the Registrar-Recorder/County Clerk determines that only one member has been duly nominated, pursuant to the provisions of the County Employees Retirement Law of 1937, Section 31523 of the Government Code, the Registrar-Recorder/County Clerk shall notify the Board of Supervisors and the Board of Supervisors shall order that no election be held and the Executive Officer of the Board of Supervisors shall be directed to cast a unanimous ballot in favor of such nominated member. If more than one member has been duly nominated, the Registrar-Recorder/County Clerk shall certify to the Executive Officer of the Board of Supervisors by Monday, June 8, 2009 the names of candidates to be placed on the official ballot.
9. Nominees in this election may file with the Registrar-Recorder/County Clerk a statement of qualifications of not more than 200 words. Words shall be counted as provided in Elections Code Section 9. Any statement of qualifications filed with the Registrar-Recorder/County Clerk shall be limited to a recitation of the nominee's own personal

background and qualifications, and shall not in any way make reference to other nominees or to another nominee's qualifications. A nominee may file his or her statement of qualifications beginning Tuesday, May 5, 2009. No statement of qualifications may be withdrawn and/or re-filed after 5:00 p.m., Thursday, June 4, 2009. The statement shall become a part of the official ballot, except as provided in paragraph 10, below.

10. Upon close of the statement of qualifications filing period, the Registrar-Recorder/County Clerk shall examine each statement of qualifications. Any statement of qualifications which the Registrar-Recorder/County Clerk determines is not limited to a recitation of the nominee's own personal background and qualifications or which includes any reference to other nominees or to another nominee's qualifications shall not be printed or circulated by the Registrar-Recorder/County Clerk. The Registrar-Recorder/County Clerk shall notify the nominee by telephone at his or her telephone number provided and/or via U.S. Mail to the nominee's mailing address if the nominee's statement of qualifications is rejected pursuant to this provision. The decision of the Registrar-Recorder/County Clerk to accept or reject a nominee's statement of qualifications is final. Any statement of qualifications filed with the Registrar-Recorder/County Clerk shall, upon close of the statement of qualifications filing period, be made available for public inspection and copying. Any judicial proceeding challenging the decision of the Registrar-Recorder/County Clerk to reject or accept a nominee's statement of qualifications shall be governed, to the extent determined applicable by the courts, under the procedures set forth in Elections Code Section 13314.
11. A statement of qualifications shall be open to public inspection for a period of five business days excluding weekends (Saturday and Sunday) and holidays. Candidate's statements of qualifications will be available for inspection at the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, beginning on

Monday, June 8, 2009, and ending at 5:00 p.m. Friday, June 12, 2009. On Monday, June 15, 2009 candidate's statements of qualifications approved by the Registrar-Recorder/County Clerk may be viewed at:

http://bos.co.la.ca.us/lacera_election.htm.

12. The form of ballot to be used at the election shall include materials prepared by the Registrar-Recorder/County Clerk and shall include: (1) a list of the certified candidates in random order with a voting space opposite each name and sufficient information to acquaint members with the nature of the election and the proper method of casting a ballot; (2) a statement of qualifications if properly filed by the candidate; (3) a return envelope postage prepaid; (4) a statement of powers and duties of Board of Retirement Members (See Attachment B); and (5) a ballot insert with the following identifying information:

EMPLOYEE NUMBER, DEPARTMENT NUMBER, PAY LOCATION
AS OF MARCH 1, 2009, EMPLOYEE NAME, MAILING ADDRESS

13. The Registrar-Recorder/County Clerk shall certify a list of qualified candidates to the Executive Office of the Board of Supervisors on Monday, June 8, 2009. A public drawing will be held to determine the ballot order at 2:00 p.m. on Tuesday, June 9, 2009 in the Executive Office of the Board of Supervisors, 383 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles.
14. The Auditor-Controller shall provide to the Executive Officer of the Board of Supervisors a master file of General Members on or before Wednesday, April 15, 2009, from which the following will be generated: (1) a ballot insert, as described in paragraph 11 of this resolution, for each General Member of the Retirement Association as of March 1, 2009 in alphabetical order, (2) employee number suborder, and (3) a duplicate listing of all such members in the described order.

15. The Registrar-Recorder/County Clerk shall mail the official ballot to the mailing address of eligible Members beginning on Monday, June 29, 2009 and by 5:00 p.m. Friday, July 2, 2009, all ballots must be mailed. The ballots shall be mailed via U.S. Mail using mailing addresses listed in the Auditor-Controller's master address file. The Registrar-Recorder/County Clerk will forward to the Executive Officer of the Board of Supervisors by Tuesday, July 7, 2009, verification that all ballots were mailed as described in this resolution.
16. Any County employee who is a candidate in this election is a candidate in his or her personal capacity, and may not use County time or County resources to further his or her campaign or election. Any candidate who violates this provision is subject to discipline, including discharge from County employment.
17. Each department head shall designate existing departmental bulletin board space for all candidates to display campaign material. Campaign material shall clearly state that employees are prohibited from using County time or County resources to further the campaign or election of the candidate.
18. Upon request of a candidate, on or after Monday, June 8, 2009, each department head shall provide the address of each department's work location where employees who are eligible to vote in this election are employed.
19. Except as otherwise prohibited by law, employees may wear campaign badges or buttons during working hours.
20. Members eligible to vote in this election shall be General Members of the Retirement Association on or before March 1, 2009. Eligible General Members who do not receive a ballot by Monday, July 13, 2009 and who desire to vote shall notify in writing their department election coordinator on or before Monday, July 20, 2009. The department

election coordinator shall submit to the Registrar-Recorder/County Clerk these written statements along with the employee's name, current mailing address, employee number and department in which employed as of March 1, 2009 on the Request for Duplicate Election Ballot Form provided by the Executive Office of the Board of Supervisors on or before Tuesday, July 21, 2009. The Registrar-Recorder/County Clerk must receive the request by Tuesday, July 21, 2009. Duplicate ballots shall be issued only to those Members who submit the required written statement and whose names appear on both the Request for Duplicate Election Ballot signed by the election coordinator and the duplicate listing of the Auditor-Controller's master address file.

21. The Registrar-Recorder/County Clerk shall mail the requested duplicate ballots via U.S. Mail by Wednesday, July 22, 2009, to the mailing address supplied by members on the Request for Duplicate Election Ballot Form.
22. Each ballot may be voted on only by the member to whom it is issued. No member may vote more than once in this election.
23. The Registrar-Recorder/County Clerk shall maintain internal controls to ensure that no more than one vote is cast per member to protect the integrity of the election.
24. To be eligible for counting, ballots shall be returned to the Registrar-Recorder/County Clerk in the envelope provided via U.S. Mail or personal delivery; shall be completed by each voter with his or her employee number, printed name and signature in the space provided on the reverse of said envelope; and shall be received by the Registrar-Recorder/County Clerk by 5:00 p.m., Tuesday, August 4, 2009. There are no provisions for write-in candidates; therefore, no write-in votes shall be counted.

25. The Registrar-Recorder/County Clerk shall canvass the votes cast at the election and shall certify the results to the Executive Officer of the Board of Supervisors on or before Friday, August 7, 2009.
26. The Registrar-Recorder/County Clerk shall: (a) telephone each candidate receiving more than 20 percent of the total vote cast at his or her telephone number provided as to the results as certified on or before Friday, August 7, 2009; and (b) send written notice of the results via U.S. Mail to each candidate's mailing address on or before Friday, August 7, 2009.
27. In the event a candidate makes a request for a recount of the election results, the requestor shall bear the cost of such a recount. A written request for a recount must be filed with the Registrar-Recorder/County Clerk no later than 5:00 p.m., Friday, August 14, 2009. The candidate filing the request for a recount shall, before the recount is commenced and at the beginning of each day following, deposit with the Registrar-Recorder/County Clerk a sum as required by the Registrar-Recorder/County Clerk to cover the cost of the recount for that day. The Registrar-Recorder/County Clerk shall commence a recount no later than Friday, August 21, 2009. In the event the recount results in a determination that the candidate who requested the recount has received a plurality of the votes cast, all money deposited shall be returned to the candidate. The recount conducted by the Registrar-Recorder/County Clerk shall be open to the public.
28. In the event any candidate desires to protest the results of the election, he or she must file a written protest with the Executive Office of the Board of Supervisors no later than 5:00 p.m., Friday, August 14, 2009. The written protest must specify the grounds for the protest and be accompanied by supporting documentation.
29. The Board of Supervisors at its meeting on Tuesday, September 8, 2009, or on a date following the completion of any recount, shall declare the results official. The person

receiving the highest number of votes shall be declared elected. In the event two or more persons tie for first place, such persons shall determine, by drawing lots before the Board, which of them shall be elected.

30. In lieu of declaring the results official, the Board of Supervisors may order a new election if the Board determines, on the basis of written protest or on its own motion, that any error, omission or neglect occurred attributable to the County in the administration of the election sufficient to change the result. The rejection of a candidate's statement of qualifications by the Registrar-Recorder/County Clerk, or the failure of the Registrar-Recorder/County Clerk to reject a candidate's statement of qualifications, shall not constitute grounds for a new election. Allegations of candidate misconduct shall not constitute grounds for a new election, but, if later substantiated may lead to imposition of administrative discipline or criminal culpability.
31. Election material retained by the Executive Officer of the Board of Supervisors and nominating petitions and ballots retained by the Registrar-Recorder/County Clerk may be discarded or otherwise disposed of sixty (60) days after the date of the final declaration of the election results by the Board of Supervisors.
32. The Executive Officer of the Board of Supervisors may, in the exercise of her discretion, implement additional procedures as she may deem necessary in order to preserve a fair and equitable election process. The Executive Officer of the Board of Supervisors shall, within ten (10) days, notify the Board of Supervisors, the Boards of Investments and Retirement and all candidates of any additional procedures implemented pursuant to this provision.

The foregoing resolution was on the 7th day of APRIL 2009, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors of the
County of Los Angeles

By: _____

Deputy

APPROVED AS TO FORM:

County Counsel

By

Judy W. Whitehurst
Judy W. Whitehurst

Principal Deputy County Counsel

ATTACHMENT B

POWERS AND DUTIES OF RETIREMENT BOARD MEMBERS

The Board of Retirement provides this summary to enable voters to evaluate candidates for the Board of Retirement. The Board urges voters to review this summary prior to voting.

The overall responsibility of the Board of Retirement is to oversee the administration of the retirement system and the retiree health care program. This requires the Board to meet twice each month. Board meetings generally last from 4 to 6 hours. In addition, the Board has established several committees to assist in carrying out its responsibilities. Some committees meet monthly; others meet every other month. In addition to the time required to attend meetings, considerable time is required to review applicable materials developed by staff and management.

The general management of LACERA is under the Board of Retirement's direction. A few functions, however, are shared with the Board of Investments. The Boards of Retirement and Investments, acting jointly, adopt the annual budget covering LACERA's operations. The two Boards must also act jointly in employee relations matters, including the approval of class specifications for LACERA's employees, the approval of Memoranda of Understanding (MOU's) negotiated with SEIU Local 721, the union bargaining for represented employees of LACERA, and the approval of compensation to be provided to LACERA's nonrepresented employees.

One of the most important - and by far the most time consuming - duties of a Board member is to review disability retirement applications and to participate in the Board's decision to grant or deny disability retirements. It is anticipated the Board of Retirement will process approximately 350 disability retirement cases during the 2010 calendar year. A Board member is obligated by law to carefully review each application and the medical evidence supporting the application. A Board member will be required to spend a significant amount of time each month in carrying out this important responsibility. The Board member must then participate in the Board's deliberations and vote on the application. Under Government Code Section 31522, as to those elected Board members who are also employed by the County or a participating district, these LACERA duties are included as part of their County or district employment.

The Board of Retirement administers a statutory retirement plan. This means that retirement benefits can only be provided if they have been authorized by the State Legislature in the County Employees Retirement Law of 1937, found in the California Government Code beginning at Section 31450. Retirement benefits not already authorized by the Retirement Law cannot be implemented by the Board of Retirement; rather, a bill must be processed through the Legislature to amend the Retirement Law. With only a few exceptions, the Legislature has required the County Board of Supervisors to adopt a resolution approving benefit enhancements before they can take effect.

The Board of Retirement is not responsible for the investments of the Retirement Fund or for the adoption of funding policies and the setting of contribution rates. The Legislature has assigned those responsibilities to the Board of Investments.

APPROVED BY THE BOARD OF RETIREMENT ON MARCH 5, 2009.